



4242 MERRICK ROAD, MASSAPEQUA, NEW YORK 11758

ATTORNEYS

JUSTIN M. REILLY, ESQ.
KEITH E. WILLIAMS, ESQ.

PARALEGALS

ROSA COSCIA
CATALINA ROMAN

Via: EDNY ECF

July 11, 2024

Honorable Judge Peggy Kuo
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Martinez, et al. v. Atlantis Super Wash Center, Inc., et al.*; 23-cv-04667 (CBA)(PK)

Dear Hon. Judge Kuo,

I represent Plaintiffs in this FLSA action. I write pursuant to Your Honor's Individual Rules and July 10, 2024 Electronic Order in response to Defendants' requests for (i) an extension of their deadline to make a settlement offer; (ii) an extension of time to file an Answer to Plaintiffs' Complaint; and (iii) an adjournment of the settlement conference currently scheduled for July 19, 2024 before Your Honor.

As to Defendants' request for additional time to make a settlement offer, Defendants represent that they need more time to review their own records. Despite Defendants not producing their records until a week after they were due¹ -- the same date that Plaintiffs were to submit their opening settlement demand -- Plaintiffs were still able to fully review them and create detailed damage charts summarizing Defendants' numerous wage theft violations later that very same day to ensure compliance with Your Honor's Scheduling Order directing Plaintiffs to make a settlement demand no later than June 21, 2024. That Defendants somehow need more time than Plaintiffs to review their own records is confusing, to say the least. Nevertheless, because Plaintiffs do not object to the Court rescheduling the upcoming settlement conference, they also do not object to an extension of time for Defendants to provide a settlement offer.

As to Defendants' request for additional time to file an untimely Answer, Plaintiffs object to their request. Settlement negotiations will be unproductive if Plaintiffs are unaware of what Defendants' position is on many of the allegations in the Complaint. Knowing Defendants' admissions and

¹ Hon. Judge Amon directed Defendants to produce time and payroll records by June 14, 2024 but they were not produced until June 21, 2024 and only after the undersigned had to send multiple emails to defense counsel.

denials, as well as their affirmative defenses, will be instrumental in formulating a settlement strategy, conducting risk assessment, and ultimately determining a bottom-line amount that Plaintiffs will be willing to accept to resolve their claims. Accordingly, Plaintiffs respectfully request that Your Honor direct Defendants to file an Answer without further delay.

The undersigned has the following dates available for a settlement conference: July 26 and 29, and August 1, 2, 7 and 9.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Keith E. Williams', is written over the typed name.

Keith E. Williams, Esq.

cc: all counsel of record, via ECF.